

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROYAL INDEMNITY COMPANY,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-165-JJF
)	
PEPPER HAMILTON LLP, W. RODERICK)	
GAGNE', FREED MAXICK & BATTAGLIA)	
CPAs, McGLADREY & PULLEN LLP, and)	
MICHAEL AQUINO,)	
)	
Defendants)	

CHARLES A. STANZIALE, JR.,)	
Chapter 7 Trustee of Student Finance)	
Corporation,)	
Plaintiff,)	
)	C.A. No. 05-72-JJF
v.)	
)	
McGLADREY & PULLEN LLP and)	
MICHAEL AQUINO,)	
)	
Defendants)	

CHARLES A. STANZIALE, JR.,)	
Chapter 7 Trustee of Student Finance)	
Corporation,)	
Plaintiff,)	
)	C.A. No. 04-1551-JJF
v.)	
)	
PEPPER HAMILTON LLP, et al.,)	
)	
Defendants.)	

MBIA INSURANCE CORPORATION and)	
WELLS FARGO BANK, N.A. (f/k/a WELLS)	
FARGO BANK MINNESOTA N.A.) as)	
TRUSTEE OF SFC GRANTOR TRUST,)	
SERIES 2000-1, SFC GRANTOR TRUST,)	

SERIES 2000-2, SFC GRANTOR TRUST,)
SERIES 2000-3, SFC GRANTOR TRUST,) C.A. No. 02-1294-JJF
SERIES 2000-4, SFC GRANTOR TRUST,)
SERIES 2001-1, SFC GRANTOR TRUST,)
SERIES 2001-2, SFC OWNER TRUST 2001-I,)
AND SFC GRANTOR TRUST, SERIES 2001-3,)
)
Plaintiffs/Counterclaim Defendants,)
)
v.)
)
ROYAL INDEMNITY COMPANY,)
)
Defendant/Counterclaim Plaintiff.)
_____)

**(PROPOSED) ORDER GRANTING
WELLS FARGO BANK N.A.'S MOTION TO COMPEL**

AND NOW, this _____ day of _____, 2007, it is hereby ORDERED,
that the Motion of Wells Fargo Bank N.A. To Compel The Deposition Of John P. Garvey, is
GRANTED.

The Honorable Joseph J. Farnan, U.S. District Court Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROYAL INDEMNITY COMPANY,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-165-JJF
)	
PEPPER HAMILTON LLP, W. RODERICK)	
GAGNE', FREED MAXICK & BATTAGLIA)	
CPAs, McGLADREY & PULLEN LLP, and)	
MICHAEL AQUINO,)	
)	
Defendants)	

CHARLES A. STANZIALE, JR.,)	
Chapter 7 Trustee of Student Finance)	
Corporation,)	
Plaintiff,)	
)	C.A. No. 05-72-JJF
v.)	
)	
McGLADREY & PULLEN LLP and)	
MICHAEL AQUINO,)	
)	
Defendants)	

CHARLES A. STANZIALE, JR.,)	
Chapter 7 Trustee of Student Finance)	
Corporation,)	
Plaintiff,)	
)	
v.)	C.A. No. 04-1551-JJF
)	
PEPPER HAMILTON LLP, et al.,)	
)	
Defendants.)	

MBIA INSURANCE CORPORATION and)	
WELLS FARGO BANK, N.A. (f/k/a WELLS)	
FARGO BANK MINNESOTA N.A.) as)	
TRUSTEE OF SFC GRANTOR TRUST,)	
SERIES 2000-1, SFC GRANTOR TRUST,)	

SERIES 2000-2, SFC GRANTOR TRUST,)	
SERIES 2000-3, SFC GRANTOR TRUST,)	C.A. No. 02-1294-JJF
SERIES 2000-4, SFC GRANTOR TRUST,)	
SERIES 2001-1, SFC GRANTOR TRUST,)	
SERIES 2001-2, SFC OWNER TRUST 2001-I,)	
AND SFC GRANTOR TRUST, SERIES 2001-3,)	
)	
Plaintiffs/Counterclaim Defendants,)	
)	
v.)	
)	
ROYAL INDEMNITY COMPANY,)	
)	
Defendant/Counterclaim Plaintiff.)	
_____)	

MOTION TO COMPEL DEPOSITION OF JOHN P. GARVEY¹

Wells Fargo Bank N.A. as Trustee for Certain SFC Grantor and Owner Trusts (“Wells Fargo”), hereby moves, pursuant to Federal Rule of Civil Procedure 37, for an order compelling the deposition of John P. Garvey, one of the experts of Royal Indemnity Company. The grounds for this motion are as set forth in Pepper Hamilton LLP’s Motion to Compel the Deposition of John P. Garvey (D.I. 323 in C.A. No. 04-1551) (D.I. 561 in C.A. No. 05-165) and Memorandum in support thereof (D.I. 324 in C. A. No. 04-1551) (D.I. 562 in C.A. 05-165).

¹ In accordance with Local Rule 7.1.1, Wells Fargo relies on the statements at pages 1-3 of Memorandum of Pepper Hamilton LLP in Support of its Motion to Compel (D.I. 324 in C. A. No. 04-1551) (D.I. 562 in C.A. 05-165) the deposition of John P. Garvey in averring that a reasonable effort has been made to reach agreement with opposing parties regarding Mr. Garvey’s appearance for a deposition.

YOUNG CONAWAY STARGATT &
TAYLOR, LLP

Of Counsel:

Ronald S. Rauchberg
Steven E. Obus
André G. Castaybert
David T. McTaggart
PROSKAUER ROSE LLP
1585 Broadway
New York, NY 10036
(212) 969-3000

Dated: September 7, 2007

David C. McBride (#408)
John W. Shaw (#3362)
Dawn M. Jones (#4270)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19899
(302) 571-6600

*Attorneys for Wells Fargo Bank N.A. as
Trustee for Certain SFC Grantor and Owner
Trusts*